

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SAMANTHA PETTINGILL, JULIE
PETTINGILL, GENE PETTINGILL, JULIE
PETTINGILL, as guardian *ad litem* for C. P.
and T. P., minors, and SOCIETY FOR PET
ADOPTION, RESCUE, AND EDUCATION,
INC., a Delaware nonprofit corporation,

Plaintiffs,

v.

JOHN CALDWELL, in his official and
individual capacities, JOHN SAVILLE, in his
official and individual capacities,
DELAWARE SOCIETY FOR THE
PREVENTION OF CRUELTY TO
ANIMALS, a Delaware corporation

Defendants.

C.A. No. 05-224

JURY TRIAL DEMANDED

ALIAS SUMMONS

TO: John Caldwell
c/o Delaware Society for the Prevention
of Cruelty to Animals
Route 7, Stanton-Christiana Road
Stanton, Delaware

John Saville
c/o Delaware Society for the Prevention
of Cruelty to Animals
Route 7, Stanton-Christiana Road
Stanton, Delaware

Delaware Society for the Prevention
of Cruelty to Animals
Route 7, Stanton-Christiana Road
Stanton, Delaware

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Charles M. Oberly, III
Karen V. Sullivan
Oberly, Jennings & Rhodunda, P.A.
800 Delaware Avenue, Suite 901
P.O. Box 2054
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you

serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

4-25-05
DATE


(By) DEPUTY CLERK

RETURN OF SERVICE

| | |
|--|---------------------------------|
| Service of the Summons and complaint was made by me(1) | DATE 4/26/05 |
| NAME OF SERVER (PJNT) DENORRIS BRITT | TITLE SPECIAL PROCESS SERVER |

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- ☐ Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): SERVED; JOHN CALDWELL AT DELAWARE SPCA RT. 7 STANTON-CHRISTIANA RD. NEWARK, DE COPIES THEREOF WERE ACCEPTED BY JOHN SAVILLE

STATEMENT OF SERVICE FEES

| | | |
|--------|----------|-------|
| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 4/26/05

Date

Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.

P.O. BOX 1360

WILMINGTON, DE 19899-1360

302- 475-2600

SERVED: SUMMONS & FIRST AMENDED COMPLAINT

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.